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**Re: Australasian Faculty of Occupational and Environmental Medicine: Consultation on its Guide to Pregnancy and Work**

1. By way of a general comment we support the need for this document and its intent. We believe there is much work to be done to support occupational health and safety for pregnant and breastfeeding women. We strongly agree that pregnancy and breastfeeding women are, for the most part, not unwell and should not be treated as such, but that workplaces have a responsibility, both ethically, and as a consequence of various aspects of legislation, to provide a safe and supportive environment for pregnant and breastfeeding women. However, in the context of workplaces undertaking general risk assessment in regards to pregnant and breastfeeding women we strongly endorse the importance of considering and accommodating the needs of pregnant women on an individual basis rather than a one size fits all approach.


2. We note that the document encourages early disclosure by women about their pregnancies to their employer. We agree that there are some advantages to early disclosure however, it should be acknowledged that this is not necessarily practicable for several reasons including that a woman may be unaware that she is pregnant for some time, may be uncertain about whether she wishes to continue the pregnancy, and may be at risk of discrimination as a result of early disclosure. We recommend that the document simply notes that early disclosure may have some benefits however that women can and should disclose their pregnancy at the appropriate time for them. Further, while we are pleased to note acknowledgement of discrimination at various points in the document we believe this aspect could be strengthened. Women's human rights to autonomy and equal opportunity in regards to their reproductive capacity have been affirmed repeatedly in international human rights treaties and agreements. We recommend that the document open with an affirmation of women's reproductive human rights and that the equal opportunities section at the rear of the document be moved to the introduction.

3. We noted inconsistent language use in the document in terms of references to pregnant woman (mother) and their unborn babies (fetus, baby, child). We strongly recommend standard language is used to refer to the pregnant women and her pregnancy, and that ideally this be 'Pregnant woman/employee' and 'Fetus/unborn baby'.

4. We note that the purpose of the document is to inform employers. It is our view that the document, in its current state, is not widely accessible to many employers - both due to its length and non-specificity. In New Zealand there is definitely a need for resources to support employers to provide pregnancy and breastfeeding friendly workplaces. Evidence shows that there is a low level of understanding amongst employers and employees about legal requirements and entitlements for pregnant and breastfeeding employees. This document would be strengthened in its applicability and useability in NZ by including reference to relevant legislation such as Paid Parental Leave, and the Infant Feeding and Meal Breaks Amendment Act 2008 and other relevant human rights anti-discrimination legislation.

5. Whilst employer buy-in is a crucial part of creating pregnant and breastfeeding friendly workplaces, we hold concerns about presenting a business case to employers that is focused on retention of staff and reduction of recruitment costs by incentivising women to return to work earlier following pregnancy/parental leave. We believe parental leave entitlements are women's human rights and are fundamental to women's and children's health and are wary of incentives that might induce, or pressure women to return to work earlier than they wish, or that disadvantage women who do not.

Many thanks again for the opportunity to provide some comments, we trust they are useful.

A handwritten signature in cursive script, appearing to read 'Jenny Carryer', written in dark ink.

Professor Jenny Carryer RN PhD FCNA(NZ) MNZM  
Executive Director